

S.B.CIVIL TRANSFER PETITION NO.7/2007

Smt. Shobha
vs.
Dharmendra Kumar.

DATE OF ORDER :: 19.3.2007

P R E S E N T

HON'BLE MR. PRAKASH TATIA, J.

Mr. R Hedau, for the petitioner.

Mr. P Choudhary, for the respondent.

Heard learned counsel for the parties.

The petitioner, wife of the respondent, has already filed the divorce petition which is pending in Family Court, Jodhpur. The respondent filed petition under Section 9 of the Hindu Marriage Act before District Judge, Balotra.

Since both the petitions are to be decided by the same Court as per Section 21A of the Hindu Marriage Act and looking to the facts mentioned in the transfer petition, it is a fit case for transferring the petition filed by the respondent to the Family Court,

Jodhpur.

In view of the above, this transfer petition is allowed, the Petition No.2/2000 (Dharmendra Kumar vs. Smt. Shobha) filed under Section 9 of the Hindu Marriage Act pending in the Court of District Judge, Balotra is hereby withdrawn and is transferred to the Family Court, Jodhpur for deciding the same in accordance with law.

Both the parties are directed to appear before the Family Court, Jodhpur on 9.4.2007.

(PRAKASH TATIA), J.

S.Phophaliya